

UNITED STATES CONTINUING UTILITY PATENT APPLICATION
under 37 C.F.R. § 1.53(b)

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EV322166892US

Atty. Docket No. 05032-00044

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10: The undersigned hereby certifies that this United States Patent Application and all papers noted herein as being attached, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10 today, **October 28, 2003**, and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By

Express Mail Label No.: EV 322166892 US



Commissioner for Patents
Mail Stop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

Enclosed herewith is a continuing patent application and the following papers:

Inventors (or application identifier): **Jeroen Mattijs Bezemer, Clemens Antoni van Blitterswijk, Jan Feijen, and Dirk Wybe Grijpma**

Title of Invention: **POLYMERS WITH BIOACTIVE AGENTS**

- ☒ Continuation
- ☐ Divisional
- ☐ Continuation-in-Part

of prior application No. 09/676,648, filed September 29, 2000.

1. ☒ Specification 22 pages (including specification, claims, abstract) / 15 claims (1 independent), after entry of the Preliminary Amendment.
2. ☒ Declaration/Power of Attorney:
 - ☒ Copy from Prior Application (for continuation or divisional application)
 - ☐ Newly Executed Declaration (for CIP application)
 - ☐ Deferred under 37 C.F.R. § 1.53(f)
 - ☐ Deletion of Inventor(s) - Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b)
 - ☒ Incorporation by Reference - The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein
3. ☒ 7 Distinct sheets each of ☒ Formal and ☒ Informal Drawings

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4. ☒ Preliminary Amendment is enclosed.
- ☒ Amend the specification by inserting before the first line the sentence --This application is a continuation of U.S. Patent Application Serial No. 09/676,648, filed on September 29, 2000; which claims priority from European Patent Application No. EP 99203195.5, filed on September 30, 1999; both which are hereby incorporated herein by reference.--
5. ☒ Information Disclosure Statement
- ☒ Form 1449
- ☐ A copy of each cited prior art reference
6. ☒ Assignment
- ☐ Assignment with Cover Sheet attached
- ☒ Assignment filed in prior application. Application assigned to: **Chienna B.V.** of Bilthoven, The Netherlands.
7. ☒ Priority is hereby claimed under 35 U.S.C. § 119 based upon the following application(s) (provisional and foreign applications):

| Country | Application Number | Date of Filing (day, month, year) |
|---------|--------------------|-----------------------------------|
| EP | EP 99203195.5 | 30 SEP 1999 (30.09.99) |

8. ☒ Priority is hereby claimed under 35 U.S.C. § 120 based upon the following application(s):

| Country | Application Number | Date of Filing (day, month, year) |
|---------|--------------------|-----------------------------------|
| US | 09/676,648 | 29 SEP 2000 (29.30.00) |

9. ☒ Priority document was submitted in the prior application.
10. ☒ Small Entity Statement
- ☒ Small Entity status was claimed in prior application. Small Entity status is still proper and desired
- ☐ Small Entity status is being claimed hereby.
- ☐ is no longer claimed
11. ☐ Nucleotide and/or Amino Acid Sequence Submission
- ☐ Computer Readable Copy
- ☐ Paper Copy (identical to computer copy)
- ☐ Statement verifying identity of above copies

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12. Calculation of Fees:

| FEES FOR | EXCESS CLAIMS | FEE | AMOUNT DUE |
|--|---------------|--------|-----------------|
| Basic Filing Fee (37 C.F.R. § 1.16(a)) | | | \$770.00 |
| Total Claims in Excess of 20 (37 C.F.R. § 1.16(c)) | 0 | 18.00 | \$0.00 |
| Independent Claims in Excess of 3 (37 C.F.R. § 1.16(b)) | 0 | 86.00 | \$0.00 |
| Multiple Dependent Claims (37 C.F.R. § 1.16(d)) | 0 | 290.00 | \$0.00 |
| Subtotal - Filing Fee Due | | | \$770.00 |
| | MULTIPLY BY | | |
| Reduction by 50%, if Small Entity (37 C.F.R. §§ 1.9, 1.27, 1.28) | 0.50 | | \$385.00 |
| TOTAL FILING FEE DUE | | | \$385.00 |
| Assignment Recordation Fee (if applicable) (37 C.F.R. § 1.21(h)) | 0 | 40.00 | \$0.00 |
| GRAND TOTAL DUE | | | \$385.00 |

13. PAYMENT is:

- ☒ The Commissioner is authorized to debit the instant filing fee, in the amount of \$385.00, and any other fees during the pendency of this application under 37 C.F.R. §§ 1.16, 1.17 and 1.18, to Deposit Account No. 19-0733. A duplicate copy of this letter is enclosed.
- ☐ not included, but deferred under 37 C.F.R. § 1.53(f)

14. All correspondence for the attached application should be directed to:

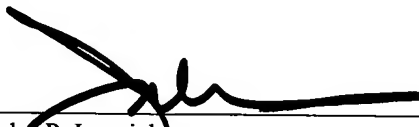
John P. Iwanicki
Customer No. 22910
BANNER & WITCOFF, LTD.
28 State Street, 28th Floor
Boston, MA 02109
Telephone: (617) 720-9600
Facsimile: (617) 720-9601

16. Other: Application Data Sheets (4 pages); Transmittal of Formal Drawings; return postcard.

Date:

October 28, 2003

By:


John P. Iwanicki
Reg. No. 34,628

JPI/lh

Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|--|---|-----------|
| In re Application of: |) | |
| |) | |
| Jeroen Mattijs Bezemer, |) | Examiner: |
| Clemens Antoni van Blitterswijk, |) | |
| Jan Feijen, and Dirk Wybe Grijpma |) | |
| |) | |
| Serial No.: TBA (Cont. of USSN 09/676,648) |) | Art Unit: |
| |) | |
| Filed: Herewith |) | |
| |) | |
| Title: POLYMERS WITH BIOACTIVE AGENTS |) | |

Commissioner for Patents
Mail Stop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Official Draftsman


TRANSMITTAL OF FORMAL DRAWINGS

Please substitute the enclosed seven (7) sheets of formal drawings (Figures 1-3) for the corresponding drawings presently in the above-referenced continuation application.

Please apply any other charges or credits to our Deposit Account No. 19-0733.

Respectfully submitted,

Dated: October 25, 2003



John P. Iwanicki, Reg. No. 34,628
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